



***de maximis, inc.***

186 Center Street  
Suite 290  
Clinton, NJ 08809  
(908) 735-9315  
(908) 735-2132 FAX

July 13, 2012

**VIA ELECTRONIC & US MAIL**

Ms. Stephanie Vaughn  
ATTN: Lower Passaic River Remedial Project Manager  
Emergency and Remedial Response Division  
U.S. EPA, Region 2  
290 Broadway, 19th Floor  
New York, New York 10007

**Re: Monthly Progress Report No. 62 – June 2012  
Lower Passaic River Study Area (LPRSA) Remedial Investigation/  
Feasibility Study (RI/FS)  
CERCLA Docket No. 02-2007-2009**

Dear Ms. Vaughn:

***de maximis, inc.*** is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

**(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.**

**Meetings/Conference Calls**

- On June 4, CPG, EPA, and CPG and EPA contractors held a conference call to discuss the Small Volume (SV) Chemical Water Column Monitoring (CWCM) routine flow events.
- On June 12, CPG, EPA, and CPG and EPA contractors held a modeling collaboration meeting.
- On June 14, CPG, EPA, and CPG and EPA contractors held a conference call to review the High Volume (HV) CWCM QAPP and HV sampling equipment field demonstration questions and observations.

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### **Correspondence**

- On June 1, CPG and EPA contractors exchanged e-mails regarding completeness of electronic data deliverables (EDDs) submitted for the SV CWCM Routine Flow Event #1.
- On June 4, EPA provided CPG with a copy of a May 31, 2012 e-mail sent to Tierra Solutions providing the option to not collect water samples for PCBs or dioxin/furan during SV CWCM Routine Flow Events in Newark Bay.
- On June 5, EPA provided comments to CPG on the initial draft HV CWCM QAPP worksheets and Standard Operating Procedures (SOPs).
- On June 5, CPG notified EPA that they will collect and analyze PCBs in Newark Bay during the SV CWCM Routine Flow Event #4.
- On June 6, CPG notified EPA that they had further considered the historical CWCM data and would not be collecting or analyzing PCB or dioxin/furan water samples from Newark Bay during the SV CWCM Routine Flow Event #4.
- On June 6, EPA requested additional information and to schedule a conference call to review the HV CWCM QAPP.
- On June 11, CPG provided a rationale for not collecting pore water data at River Mile (RM) 10.9 to EPA.
- On June 12, CPG responded to questions from EPA's contractor regarding data notations on the SV CWCM Routine Flow Event #1 data.
- On June 14, CPG received comments from EPA on the draft RM 10.9 Characterization QAPP Addendum C and EPA confirmed the proposed June 25, 2012 start date for conducting the geotechnical sampling addressed in QAPP Addendum C.
- On June 14, CPG submitted original signature pages for the Administrative Settlement Agreement and Order on Consent (AOC) for the RM 10.9 Removal Action to EPA.
- On June 14, the CPG submitted the revised RM 10.9 Characterization QAPP Addendum C and Responses to Comments (RTCs) to EPA.
- On June 15, CPG submitted the Monthly Progress Report to EPA.
- On June 18, EPA provided CPG with the final, fully-executed RM 10.9 Removal Action AOC, effective as of that date.
- On June 18, CPG provided eight draft worksheets and the laboratory SOPs from the draft HV CWCM QAPP to EPA for review.
- On June 18, CPG submitted the RM 10.9 Characterization QAPP Addendum B (Bench-scale testing) to EPA.
- On June 20, EPA provided additional comments on the draft HV CWCM QAPP worksheets to CPG.

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- On June 26, CPG submitted a memorandum on historical bathymetry studies and data from the Lower Passaic River to EPA.
- On June 29, CPG submitted a draft Dissolved Oxygen (DO) Monitoring QAPP Addendum to EPA.
- On June 29, CPG submitted the complete draft HV CWCM QAPP to EPA.

### **Work**

- CPG initiated analysis of the additional RM 10.9 sediment characterization and delineation samples requested by EPA as required by RM 10.9 Characterization QAPP Addendum A.
- CPG completed development of RM 10.9 Characterization QAPP Addendum B (bench scale testing of beneficial sediment reuse technologies).
- CPG responded to EPA comments on RM 10.9 Characterization QAPP Addendum C (geotechnical sampling) and re-submitted the document to EPA.
- CPG conducted the geotechnical data collection in accordance with the RM 10.9 Characterization QAPP Addendum C the week of June 25.
- CPG continued discussions with beneficial sediment reuse technology vendors
- CPG continued validation of LRC Supplemental Sampling Program (SSP) data.
- CPG continued validation of the SV CWCM Routine Flow Event #2 data.
- CPG continued validation of SV CWCM Routine Flow Event #3 data.
- CPG conducted the SV CWCM Routine Flow Event #4 the week of June 4.
- CPG initiated chemical analysis of the SV CWCM Routine Flow Event #4 samples.
- CPG began preparations for conducting SV CWCM Routine Flow Event #5.
- CPG completed development the HV CWCM QAPP Addendum and responded to EPA comments on specific QAPP worksheets.
- CPG continued discussions with HV equipment vendor and associated labs for applicability in the LPRSA CWCM field program.
- CPG completed spiking studies associated with proposed HV CWCM sampling equipment and support lab.
- CPG continued analysis of the samples collected during the field demonstration of HV CWCM sampling equipment at the CPG Field Facility.
- CPG completed development of a QAPP Addendum for a proposed DO monitoring program in the LPRSA.
- CPG continued work on the 2011 Post-Hurricane Irene Bathymetry Survey report.
- CPG continued drafting the winter/spring 2011 Avian Survey Report.

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- CPG Modeling Team continued work on decoupling the Hydrodynamic and HQI ECOM-SEDZLJS Sediment Transport Model codes to shorten run times and long-term sediment transport calibration runs.
- CPG Modeling Team continued work on the RCATOX Chemical Fate and Transport Model Code initial conditions and long-term calibration runs.
- CPG Modeling Team continued support for design activities for the SV CWCM High Flow and Low Flow Events.
- CPG Modeling Team continued work on system understanding for hydrodynamic and sediment transport processes in Newark Bay.
- CPG continued review of sediment characteristics and potential target remedy locations in support of initial Feasibility Study (FS) evaluations.

**(b) Results of Sampling and Tests**

- On June 12, CPG posted revised EDDs incorporating changes to the qualifiers and PCB congener reporting rules for the SV CWCM Routine Flow Event #1 data to the EPA SharePoint site.
- On June 28, CPG provided EPA with preliminary RM 10.9 Characterization Addendum A data received through June 27 along with a plot of the current and previous RM 10.9 surface 2,3,7,8-TCDD data.

**(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion**

- CPG will complete validation of the LRC SSP data.
- CPG will initiate analysis of the geotechnical samples collected during the implementation of the RM 10.9 Characterization QAPP Addendum C.
- CPG will complete validation of the SV CWCM Routine Flow Event #2 data.
- CPG will complete validation of the SV CWCM Routine Flow Event #3 data.
- CPG will conduct SV CWCM Routine Flow Event #5, conditions permitting.
- CPG will continue chemical analysis of the SV CWCM Routine Flow Event #4 samples, conditions permitting the event to be conducted as scheduled.
- CPG will initiate validation of the SV CWCM Routine Flow Event #4 data, conditions permitting the event to be conducted as scheduled.
- CPG will conduct SV CWCM Routine Flow Event #5 if River conditions meet SV CWCM QAPP criteria.
- CPG will conduct a SV CWCM High Flow Event if River conditions meet SV CWCM QAPP criteria.
- CPG will conduct a SV CWCM Low Flow Event if River conditions meet SV CWCM QAPP criteria.

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- CPG will conduct a HV CWCM sampling event pending EPA approval of the HV CWCM QAPP Addendum.
- CPG will continue discussions with vendors regarding beneficial sediment reuse large-scale pilot demonstrations and sediment processing/dewatering.
- CPG will initiate bench scale testing of beneficial sediment reuse technologies pending EPA approval of RM 10.9 Characterization QAPP Addendum B.
- CPG will complete drafting the Post-Hurricane Irene Bathymetric Survey of the LPR report.
- CPG will complete drafting the 2010 Small Foraging Fish Tissue Chemistry Data Report.
- CPG will complete drafting the winter/spring 2011 Avian Survey Report.
- CPG Modeling Team will continue calibration runs with the HQI ECOM-SEDZLJS and RCATOX codes and inputs.
- CPG Modeling Team will continue support with the CWCM High Flow program planning and development.
- CPG will participate in LPR/Newark Bay Modeling Program progress calls and follow-up modeling collaboration meetings with EPA and EPA consultants.
- CPG will continue initial FS evaluation of targeted remedy locations and development of cost estimating tools.

**(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.**

- Based upon discussions with EPA, the CPG understands that the calibration of the HQI sediment transport model was completed by the EPA Modeling Team during the fourth quarter of CY 2010 and that changes were and continue to be made to the HQI SEDZLJS code and inputs used by EPA in its calibration. It is also the CPG's understanding that EPA is continuing work to improve their calibration. As such, the CPG is continuing to work on both its high flow calibration and its long-term daily calibration. EPA and CPG collaboration meetings were conducted in January, March and June 2012; these and previous meetings are providing an opportunity for both modeling teams to understand differences between each team's approaches. Delays associated with both the sediment transport modeling and chemical fate transport modeling schedules are extending the completion of the LPRSA RI/FS.
- The CPG understands that the EPA approved Tierra's CSO/SWO Workplan in May 2011. It is also the CPG's understanding that the Method Detection Studies proposed by Tierra and other work such as construction of the proposed mobile

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centrifuge/CSO sampling trailer must be completed prior to the start of the Phase 1 work which is now forecast for August 2012. The extent of the RI/FS schedule impacts is dependent on the completion of these items and Phase 1 sampling activities.

- EPA provided comments on July 11, 2011 which disapproved the revised risk assessment planning documents and required submission of revised documents within 30 days. Additionally, EPA provided a technical memo on July 25, 2011 on fish and crab consumption rates for the LPRSA Human Health Risk Assessment. The CPG filed a notice of dispute resolution in accordance with Section XV of the AOC on July 25, 2011 in response to EPA's July 11, 2011 directive letter and July 25, 2011 technical memorandum. The revised RARC and TRV deliverables were submitted on August 9, 2011. On September 6, 2011 the CPG submitted a position paper in response to EPA's July 11, 2011 comments and July 25, 2011 technical memorandum. Dispute resolution meetings were held on December 1, 2011 and January 13, 2012. EPA provided the results of the dispute resolution to the CPG on February 7, 2012 and the CPG has begun to implement the changes specified in the July 2011 directive comments and the results of the dispute resolution which was submitted on April 13, 2012.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

**de maximis, inc.**

*Willard F. Potter / efc*

Willard F. Potter  
Project Coordinator

cc: Pat Hick, EPA Office of Regional Counsel  
William Hyatt, CPG Coordinating Counsel  
Lisa Baron, USACE  
Tim Kubiak, USFWS  
Reyhan Mehran, NOAA  
Janine MacGregor, NJDEP  
Elkins Green, NJDOT  
Laura Kelmar, AECOM